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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/461,932	12/15/1999	SUMITO HONDA	OOCL-7-(6SY-	4452
26479	7590	11/20/2003	EXAMINER	
STRAUB & POKOTYLO 620 TINTON AVENUE BLDG. B, 2ND FLOOR TINTON FALLS, NJ 07724			VU, NGOC YEN T	
			ART UNIT	PAPER NUMBER
			2612	6

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/461,932

Applicant(s)

HONDA ET AL.

Examiner

Ngoc-Yen T. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 December 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 ~~is~~ are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 ~~is~~ are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6, 10-13, 16 and 20-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Teremy et al. (US #5,652,930).

Regarding claim 1, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (Fig. 1, camera 10) comprising:

an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) for emitting multiple color lights (col. 4 line 22 – col. 6 line 10);

driving condition setting means (Fig. 5, photocell 89 and microcontroller 70) for changing driving conditions for driving the organic electroluminescent element (col. 6 lines 17-46; col. 7 lines 32-61); and

driving control means (Fig. 5, OLED drivers 74) for driving the organic electroluminescent element on the basis of the driving conditions set by the driving condition setting means (col. 6 lines 17-46; col. 7 lines 32-61).

As to claim 2, Teremy teaches that the driving condition setting means sets luminous brightness (see the Abstract; col. 6 lines 17-46; col. 7 lines 32-61).

As to claim 3, Teremy teaches that the driving condition setting means sets luminous color (col. 5 lines 52-58; col. 5 line 65 – col. 6 line 10).

Regarding claim 6, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (Fig. 1, camera 10) comprising:

an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) for emitting multiple color lights (col. 4 line 22 – col. 6 line 10);

driving condition setting means (Fig. 5, photocell 89 and microcontroller 70) for changing driving conditions for driving the organic electroluminescent element (col. 6 lines 17-46; col. 7 lines 32-61);

storing means for storing the driving conditions set by the driving conditions setting means (it is inherent that the microcontroller (70) taught in Teremy has storing means for storing the output of the photocell 89); and

driving control means (Fig. 5, OLED drivers 74) for driving the organic electroluminescent element on the basis of the driving conditions set by the driving condition setting means (col. 6 lines 17-46; col. 7 lines 32-61).

Regarding claim 10, Teremy '930 teaches a camera (10) comprising:

an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) for emitting multiple color lights (col. 4 line 22 – col. 6 line 10);

driving condition setting means (Fig. 5, photocell 89 and microcontroller 70) for changing driving conditions for driving the organic electroluminescent element (col. 6 lines 17-46; col. 7 lines 32-61); and

a display device for displaying that setting the driving conditions by the driving condition setting means is allowable (Fig. 6, display 21).

Regarding claim 11, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (10) comprising:

an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) emitting multiple color lights (col. 4 line 22 – col. 6 line 10);

a driving condition setting circuit setting data (Fig. 5, photocell 89 and microcontroller 70) corresponding to driving conditions of the organic electroluminescent element (col. 6 lines 17-46; col. 7 lines 32-61); and

a drive circuit (Fig. 5, OLED drivers 74) driving the organic electroluminescent element: on the basis of the driving conditions set the driving condition setting circuit (col. 6 lines 17-46; col. 7 lines 32-61).

As to claim 12, Teremy teaches that the driving condition setting circuit sets luminous brightness (see the Abstract; col. 6 lines 17-46; col. 7 lines 32-61).

As to claim 13, Teremy '930 teaches the driving condition setting circuit sets luminous color (col. 5 lines 52-58; col. 5 line 65 – col. 6 line 10).

Regarding claim 16, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (10) comprising:

an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) emitting multiple color lights (col. 4 line 22 – col. 6 line 10);

a driving condition setting circuit setting data (Fig. 5, photocell 89 and microcontroller 70) corresponding to driving conditions of the organic electroluminescent element (col. 6 lines 17-46; col. 7 lines 32-61);

a memory storing the driving conditions set by the driving condition setting circuit (it is inherent that the microcontroller (70) taught in Teremy has storing means for storing the output of the photocell 89); and

a driving circuit (Fig. 5, OLED drivers 74) driving the organic electroluminescent element on the basis of the driving conditions stored in the memory (col. 6 lines 17-46; col. 7 lines 32-61).

Regarding claim 20, Teremy '930 teaches a camera (10) comprising:

an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) emitting multiple color lights (col. 4 line 22 – col. 6 line 10);

a driving condition setting circuit setting data (Fig. 5, photocell 89 and microcontroller 70) corresponding to driving conditions for driving the organic electroluminescent element (col. 6 lines 17-46; col. 7 lines 32-61); and

a display device displaying that setting the driving conditions by the driving condition setting circuit is allowable (Fig. 6, display 21).

Regarding claim 21, Teremy teaches a display device for a camera (10) comprising:

a display section including an organic EL element (Fig. 5, OLED elements 63, 64, 66, 68) for emitting multiple color lights (col. 4 line 22 – col. 6 line 10);

a first driving condition setting section (Fig. 5, photocell 89 and microcontroller 70) for setting luminous brightness of the organic EL element (col. 6 lines 17-46; col. 7 lines 32-61);

a second driving condition setting section (microcontroller 70) for setting luminous color of the organic EL element (col. 5 line 65 – col. 6 line 10); and

a driving control section driving the organic EL element on the basis of the driving conditions set by the first driving condition setting section and the second driving condition setting section (col. 5 line 65 – col. 6 line 10; col. 6 lines 17-46; col. 7 lines 32-61).

As to claim **22**, Teremy shows that the display section includes an outside display section (see Figs. 3 & 6).

3. Claims 6, 8 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Osato et al. (US #6,021,280).

Regarding claim **6**, Osato '280 teaches a display device (Fig. 1, 18a) for a camera comprising:

an organic electroluminescent element for emitting multiple color lights (col. 5 lines 23-29);

driving condition setting means (main switch Bsw) for changing driving conditions for driving the organic electroluminescent element (col. 3 lines 33-34; col. 4 lines 34 – col. 5 line 14);

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storing means for storing the driving conditions set by the driving conditions setting means (RAM 11a or ROM 11b) (col. 3 lines 2-9; col. 4 lines 26-33); and

driving control means (CPU 11) for driving the organic electroluminescent element on the basis of the driving conditions stored in the storing means (col. 3 lines 23-34; col. 4 lines 34 – col. 5 line 14).

As to claim 8, Osato teaches that the driving condition setting means includes an operation member (main switch Bsw) operated manually, and the operation member also serves as another operation member for setting a photographing mode of a camera (col. 3 lines 32-36; col. 5 lines 8-13. Since Osato explicitly teaches that a switch other than the main switch Bsw may be used to change the driving conditions of the display 18a, it is inherent that either a release switch Rsw or a mode switch Msw can be used to change the driving conditions of the display 18a).

As to claim 9, Osato teaches a mode selector member for performing switching between a setting mode for setting the driving conditions of the driving condition setting means and a photographing mode of a camera, wherein, when the setting mode is set by the mode selector member, change in the driving conditions is allowed (col. 3 lines 23-34; col. 4 lines 34 – col. 5 line 14) (Since Osato explicitly teaches that a switch other than the main switch Bsw may be used to change the driving conditions of the display 18a, it is inherent that either a release switch Rsw or a mode switch Msw can be used to change the driving conditions of the display 18a).



*Claim Rejections - 35 USC § 103*

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-5, 7-9, 14-15 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teremy '930 in view of Osato et al. (US #6,021,280).

As to claim 4, the claims differs from Teremy in that the claim further requires the driving condition setting means includes an operation member operated manually, and the operation member also serves as another operation member for setting a photographing mode of a camera. However, the limitation is well known in the art as shown in Osato et al. In the same field of endeavor, in figure 1 Osato '280 teach an EL display device (col. 5 lines 22-29) for a camera wherein the driving condition of the display device can be set manually by an operation

member (switch Bsw, Rsw or Msw), wherein the operation member also serves as another operation member for setting a photographing mode of a camera (col. 3 lines 33-36; col. 4 line 42 – col. 5 line 14). In light of the teaching from Osato, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the driving condition setting means taught in Teremy as claimed so as to provide a common manually operation member for changing the driving condition of the display and for setting a photographing mode of the camera, thus providing a compact camera having versatile capabilities.

As to claim 5, the claim differs from Teremy in that it further requires a mode selector member for performing switching between a setting mode for setting the driving conditions of the driving condition setting means and a photographing mode of a camera, wherein, when the setting mode is set by the mode selector member, change in the driving conditions is allowed. However, the limitation is well known in the art as shown in Osato et al. In the same field of endeavor, in figure 1 Osato '280 teach an EL display device (col. 5 lines 22-29) for a camera wherein the driving condition of the display device can be set manually by a mode selector member (switch Bsw, Rsw or Msw), and the mode selector member also sets a photographing mode of a camera, wherein when the setting mode is set by the mode selector member, change in the driving condition is allowed (col. 3 lines 33-36; col. 4 line 42 – col. 5 line 14). In light of the teaching from Osato, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the driving condition setting means taught in Teremy as claimed so as to provide a mode selector member for setting the driving condition of the display and for

setting a photographing mode of the camera, thus providing a compact camera having versatile capabilities.

As to claim 7, the claim differs from Teremy, as modified by Osato, in that the claim further requires that the storing means is an electrically rewritable non-volatile memory. It is noted that Osato teaches that the RAM 11a is a readable/writable volatile memory and the ROM 11b is a readable non-volatile memory, and the ROM 11b stores various data used for a program or light and distance measuring operations. Official notice is taken that it is well known in the art to store camera's program operations in an electrically readable/rewritable non-volatile memory for the purpose of facilitating the upgrading the camera's operations. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store the driving conditions of the display device taught in Teremy and Osato so as to facilitate changing of the driving conditions set by the driving condition setting means.

As to claim 8, see the Examiner's comments in claim 4.

As to claim 9, see the Examiner's comments in claim 5.

As to claim 14, see the Examiner's comments in claim 4.

As to claim 15, see the Examiner's comments in claim 5.

As to claim 17, see the Examiner's comments in claim 7.

As to claim 18, see the Examiner's comments in claim 4.

As to claim 19, see the Examiner's comments in claim 5.

*Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen T. Vu whose telephone number is 703-305-4946. The examiner can normally be reached on Compressed.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.



NGOC-YEN VU  
PRIMARY EXAMINER

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NYV  
11/16/2003